

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held December 11, 2007

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 8:03 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; Lori Wissler and Dianne Moran, Planning and Zoning Officers; Charles Zwally, Mette, Evans, and Woodside; Peter Gemora; Francis McNaughton and Joel McNaughton, McNaughton Homes; and Tim Mellott, Mellott Engineering.

**Pledge of Allegiance**

Mr. Crissman led in the recitation of the Pledge of Allegiance.

**Public Comment**

No public comment was presented.

Continued discussion regarding the rezoning proposed by Union Deposit Corporation  
for land encompassing Sportsman's Golf Course

Ms. Wissler noted that this is a continuation from the Public Hearing held on November 20, 2007 regarding a request for a rezoning. Ms. Wissler noted that Mr. Charles Zwally, representing Union Deposit Corporation, is present and would like to make a presentation.

Mr. Zwally requested the Board members to set a date for a public hearing in which to further consider the map change amendment for which a public hearing was held on November 20, 2007. He noted that the Board members tabled the rezoning at that meeting, and explained that the Municipalities Planning Code requires that a vote on the amendment must be made within 60-days of the advertised public hearing. He noted that that 60-day requirement would expire on January 10, 2008. Mr. Hawk suggested that the date would be January 9, 2008.

Mr. Zwally noted that the land was originally zoned R-2 pursuant to a 1977 agreement made between the Township and the Union Deposit Corporation. He noted that the Boyd-Mahoney partnership is the current owner of the property.

Mr. Zwally noted that the first draft of the zoning ordinance proposed that the property be zoned Agricultural-Residential (AR), but the owners raised objections to that, and presented a

sketch plan showing what the general plans were, to establish an age-restricted project under the Residential-Retirement (RR) zoning. He noted that it was thought that an R-2 zone with a overlay for RR would be appropriate. He explained that the final ordinance that was enacted in 2006 rezoned the property to Institutional (IN) which permits RR. He noted that a sliver of the land was rezoned to AR, and the owners have a problem with that rezoning.

Mr. Zwally displayed a map showing Union Deposit Corporation's proposal to change the current zoning map. He noted that a topological map was made of the land, and it showed that the AR area is relatively flat, having areas of slopes that are less than 15%, that are suitable for residential development as per the Township's ordinance. He noted that he proposed to move the Conservation (CO) line south, move the IN line north, and eliminate the AR zone. He noted that once Continental Drive was built, there was not much else could be done with the current strip of AR zoning, He noted that the Dauphin County Planning Commission commented that it is a very small area for AR zoning. He noted that he does not envision building estate lots along Continental Drive in this area.

Mr. Zwally noted that the zoning for this area was discussed at length during the various joint workshop meetings held with the Board of Supervisors and the Planning Commission, and at the March 2007 workshop meeting, there was a general consensus to rezoning the land as requested. He noted that staff prepared the rezoning ordinance and the public hearing was held on November 20, 2007.

Mr. Zwally noted that the Lower Paxton Township Planning Commission approved the request for rezoning, and the Dauphin County Planning Commission recommended the rezoning. He noted that both commented that the narrow strip of AR zoning did not make much sense.

Mr. Zwally noted that he has discussed the matter with his client, and has been authorized to meet with the residents as soon as possible to discuss the issues. He noted that Mr. Mahoney is willing to consider a reduction in density for the entire IN District, and to create a buffer area between the IN District and the adjoining residential district which is the Estates of Forest Hills. Mr. Zwally noted that, under the current ordinance, since both uses are residential, there would be no buffering required, but he is willing to commit to requirements that are more stringent than the current zoning requirements. He noted that he would be willing to commit to a contract zoning, that the density number would be reduced, and a buffering arrangement could be made. He noted if the Board wanted to amend the ordinance and implement these changes he would support those changes, however, if the Board declined to take action on these changes, he would be willing, prior to the development of the project, to record deed restrictions between the

current owners and any of the adjoining owners who would be willing to join in. He noted that these restrictions would be enforceable even if they are not adopted in the ordinance.

Mr. Crissman noted that he applauds Mr. Zwally's efforts in meeting with the residents, but he questioned how quickly could he execute a meeting with the residents and get the information to staff, prior to the next public hearing. Mr. Zwally answered that he expects to report back to the Board members prior to the public hearing.

Mr. Seeds noted that Mr. Zwally stated that he would support reduced densities, but he noted that the Board would not have time to make changes to the zoning ordinance before the sixty days are up. Mr. Zwally noted that that is why he indicated that he would be willing to make a commitment with the owners and the neighbors, and the Township could amend the zoning ordinance later. He noted if the changes are not made, he would be willing to enter into an agreement with deed restrictions. Mr. Seeds noted that if a plan was submitted, it would be grandfathered in. Mr. Zwally noted that there is no plan at this time, and he would like to get the rezoning settled in order to move on to the master planning stage for the land.

Mr. Seeds noted that there is a significant amount of density for that tract. He noted that the AR is made up of 52 acres and Mr. Zwally proposes that 41 acres be rezoned IN, and the remaining 11, be rezoned CO. Mr. Zwally noted that the current IN is made up of 153 acres, and it would be increased to 189 acres, with the CO changing from 14 acres to 27 acres. Mr. Seeds noted that the increase of 22 acres in the IN District would provide for up to 500 additional units.

Mr. Seeds stated that he is concerned with the traffic issues along Linglestown Road. Mr. Zwally noted that the maximum number of units could not be built in that area since it is steeper than the other area. Mr. Seeds stated if the area is steep then it should be zoned CO District. Mr. Zwally noted that there is a big difference between 12-units per acre and one-unit per 1.5 acres for the AR District. He noted that that is why he is willing to discuss a reduced density for the IN District. Mr. Seeds noted that this would affect the entire Township, noting that anyone who has IN land may have different feelings about the densities. Mr. Zwally noted that the Township would not need to amend the ordinance, as his client could make the requirements by use of deed restrictions. Mr. Seeds questioned if this would be legal. Mr. Zwally noted that it is and he could establish use restrictions in the deed. Mr. Stine answered that he guessed it was accurate, but noted that he has not looked at this possibility. Mr. Seeds questioned if it would be contract zoning. Mr. Zwally answered that he could not make a contract with the Township, but he could make a contract with other land owners, to become the subservient tenant, and the other property owners would be the dominant tenant that could force the restrictions.

Mr. Seeds noted that Fine Line Homes attempted to have land rezoned on Locust Lane to build three 60-foot buildings, and the people were adamantly against the change. He noted that he voted against the ordinance. Mr. Zwally noted that the 60-foot requirement for the RR District was never requested by Union Deposit Corporation. He noted that the RR was originally zoned for 40-foot height and he is happy with that requirement.

Mr. Seeds noted that it was discussed at the earlier budget meeting the need to hire more police officers due to the increase number of calls, especially from some of the apartment complexes and developments that were very nice, but now have become a source of crime. Mr. Zwally noted that you can't build an RR development without some density restrictions. He noted that the sewer requirements would provide for a restriction for the area. Mr. Zwally noted that the residents commented on the traffic calming measures used on Continental Drive, and he noted that he would continue that for their section of the road. He noted that the construction of the road would be a very costly project. Mr. Seeds noted that if Union Deposit Corporation requests sewer, the Township must provide it. He noted that he is very concerned about the densities that would be permitted for the RR zoning. He noted that he also voted against the ordinance due to the percentages for the age-restricted requirement. Mr. Zwally noted that the density is there now for the 183 acres, with 12 units per acre permitted. He noted that in consideration for the additional 40 acres to be zoned IN; he would be willing to reduce the overall densities for that zone. He noted that the property owners would not go away, and he would need to work with them in the development of the land.

Mr. Seeds noted that the minutes from the Planning Commission meeting stated that there were deed restrictions for the Sportsman's golf course. Mr. Zwally noted that he researched the deed and did not find any, noting that he would be happy to provide the Township with a copy of the deed.

Mr. Hornung noted that Mr. Zwally stated that he would propose a lower density for the overall site, but he questioned what he would need, economically, for the plan to work. Mr. Zwally noted that he needs flexibility, and suggested that it would be below the 12-unit allowance. He noted that he has been given a modest range to commit to in his discussion with the neighbors. Mr. Hornung questioned if it would be over 1,000 units. Mr. Zwally noted that in total units it would be in that range. Mr. Gemora noted that it would be for both Susquehanna and Lower Paxton Townships, but less for Lower Paxton Township. Mr. Hornung questioned if the number would increase if the changes were made for the rezoning request. Mr. Zwally answered that his response was based on the rezoning request of 183 acres.

Mr. Seeds noted if the land was developed to the maximum, it would provide for 2,168 units allowed, at 12 units per acre. Mr. Zwally noted that it would not be permitted due to environmental issues. Mr. Wolfe questioned what the total acreage was for the Township's land. Mr. Zwally answered that it was 217 acres, with 189 in the IN and 27 in the CO.

Mr. Randell Holmes, 4107 Continental Drive, explained that he contacted Mr. Zwally to schedule a meeting with the residents. He noted that a date would be set after this meeting, and he offered to facilitate this information to the neighbors. He noted that the issue is not just the property, but also where it is located, and how it contributes to the overall traffic in the area. He noted that the people who live on Continental Drive do not want it to turn into a highway, and he noted that the Supervisors are sensitive to that issue.

Mr. Holmes noted that he did not participate in the discussion held at the November 20, 2007 meeting regarding the water issues, but it seemed to make a difference with United Water PA (UWPA) service over the past few weeks. He noted that he was told that UWPA is proposing to replace their pumping facility for the neighborhood in the near future. He noted that UWPA is discussing the installation of an elevated reservoir to have a gravity feed service added to the improvements. He noted that they would expect that someone would have to pay for the water tank. Mr. Zwally noted that he is aware that it would be added to his budget for overall costs.

Mr. Holmes noted that he is not against developing the property, but would like to see it done properly. He questioned if decisions could be made by January 9, 2008. Mr. Hawk questioned if all this could be accomplished since the holidays are fast approaching. Mr. Holmes noted that he would do the best he could. He suggested that the two items offered by Mr. Zwally, the lower densities overall and buffering make sense. He noted that a mid-rise building should be placed appropriately on the site. He suggested that a townhouse community should be placed in the next Township. He noted that the development found on Progress Avenue north of Linglestown Road is not what is typical of development in the Township on Continental Drive. He suggested that the developer is offering a compromise which is a reasonable thing to do.

Mr. Hawk noted the 9<sup>th</sup> of January would be here rather quickly and the next scheduled meeting of the Board of Supervisors is January 7, 2008.

Mr. Holmes noted that the pending ordinance laws permit that for ordinances that are pending, once they are announced and advertised, they are affective. Mr. Stine noted that the pending ordinance doctrine noted does not apply to everything. He explained that it only applies to zoning and building permits, but not to subdivision and land development plans. He noted that a plan that would be presented after a new zoning ordinance is advertised would not be subject to

the new proposed ordinance. He noted that the plan would be subject to the old ordinance until the new ordinance is adopted. Mr. Zwally noted that there would be no plan filed in the foreseeable future.

Mr. Seeds questioned why there is such a hurry to rezone the land. Mr. Zwally explained that once he knows what the zoning is, he would like to start the planning process that would take over a year to complete. Mr. Seeds suggested that Mr. Zwally could not get all that he needs to get done by the January 7, 2008 deadline. Mr. Hawk noted that Mr. Zwally has a plan.

Mr. Matt Dankin noted that he loved the idea that Mr. Zwally is willing to scale down the project and look at the whole picture, but he noted that there are many people who live adjacent to the golf course in Forest Hills, and he suggested that it would be good to have a wooded area around the RR development to provide a buffer. Mr. Zwally noted that he would also address the water issue too.

Mr. Dankin noted that he was told by UWPA that they would install two substations, one on the lower level in the area of the playground for Forest Hills Drive, and a second one on Continental Drive to help supply the homes north of that road. He questioned what they would do as a result of the increased customers. He stated that he was told that UWPA would need to determine how they could pump additional water from the 6<sup>th</sup> Street station.

Mr. Hawk noted that Mr. Zwally would need to report back to staff the results of the proposed residents' meeting. Mr. Stine stated that Ms. Wissler would need to advertise a notice of a proposed enactment for the January 7, 2008 meeting.

Continued discussion with the McNaughton Company on improvements to  
Patton Road as part of the Autumn Oak subdivision

Ms. Moran noted that Francis and Joel McNaughton are present to discuss the improvements to Patton Road, along with their engineer, Tim Mellott. She distributed additional handouts to the Board members. Mr. Seeds suggested tabling the item since he did not have time to review the materials. Mr. Francis McNaughton noted that Mr. Joel McNaughton had prepared a well concise presentation to explain what was contained in the handouts.

Mr. Joel McNaughton explained that he met with staff earlier today, and as a result of that meeting, he had additional information to present to the Board members. He noted that as a result of the previous workshop meeting, he has prepared a new proposal for the Board. He noted that the McNaughton Company would be responsible for the design work for Patton Road that is in compliance with the draft Subdivision and Land Development Ordinance (SALDO), for

horizontal curvature and width, to build or replace the existing bridge, install curbing on both sides of Patton Road, and install sidewalks along one side of Patton Road. He noted that the McNaughton Company would complete all of the design work. Mr. Wolfe noted that he met with Mr. McNaughton this date and agreed that the McNaughton Company would be responsible for the design work for the realignment requirement, and staff recommended acceptance of the proposal. He noted that the Township would be responsible for the permits for the roadwork and the McNaughton Company would commit to the design work and construction. He noted that the McNaughton Company requested a slight adjustment for the proposed alignment which is an improvement over what was discussed earlier. He noted that the McNaughton Company is accepting responsibility for wetland mitigation, and he explained that if the Board members are in agreement to this, he would request Mr. Stine to prepare a developer's agreement.

Mr. McNaughton noted that he decided to take more duties for the project and come up with a design that would work for everyone. He requested assistance with permitting given the fact that the improvements would be made on Township property. He noted that he would do the bulk of the work required to get the permit ready, but he would request that the permit be submitted in the Township's name. Mr. Mellott noted that Phase I of Autumn Oaks in the RC district is not going to require coordinating with the U.S. Army Corps of Engineers. He noted that he would like to have this as a separate issue since he would not know what would be needed to have the floodplain revised to address the changes that would need to be made with the Paxton Creek Bridge. He noted that the permitting process may put delays on the start of Phase II for the project. He noted that if the permitting process is separated, then he could continue with the project, and it could be done simultaneously at the same time.

Mr. Hawk thanked Mr. McNaughton for resolving the issues for the Patton Road realignment.

Mr. Wolfe noted that he suggested that the completion of improvements be tied to the completion of Phase III of the six phase development subject to the permitting issues.

Mr. Seeds questioned if Mr. McNaughton would provide the fill. Mr. Fran McNaughton answered that it would depend on the design or the requirements for the design. He noted that in the process of rezoning, the densities were reduced from 420 units to 203 units.

Mr. Wolfe suggested that staff recommends that the Board of Supervisors accept the proposal that Mr. McNaughton has submitted this evening, and include this as part of the developer's agreement prepared by Mr. Stine.

Mr. Seeds noted that the McNaughton Company does have an approved plan from 2004. Mr. Stine noted that the plan was never recorded or the conditions were never satisfied. Mr. Stine noted that it was contingent on more than a developers' agreement for the realignment of Patton Road, and since those conditions were not satisfied it was not recorded.

Mr. Fran McNaughton noted that the plan has not changed, the bond was posted. Mr. Stine noted that the McNaughton Company has submitted a new preliminary plan that is different from the previously approved plan. Mr. Stine questioned what would happen to the previous plan. Mr. Fran McNaughton noted that he would submit a new plan.

Mr. Wolfe noted that there is an additional item to be discussed regarding the Parks and Recreation requirements. Mr. Joel McNaughton noted that this issue came up during the Planning Commission review, and was tabled at the last meeting pending resolution of the issue.

Mr. Joel McNaughton explained that he has submitted two separate plans to the Parks and Recreation Board to address recreation requirements. He noted that the first submittal called for the dedication of all open space in the project with the inclusion of nature trails and a sidewalk connection network. He noted that 55% of the community would be made up of single-family detached units, and it is his experience that single-family attached dwellings produce very few school-age children. He suggested that dedicating the open space throughout the community would provide scattered active and passive recreation for the residents. He noted that the Parks and Recreation Board indicated that open space and a nature trail are not substitutes for recreation.

Mr. Joel McNaughton noted that he developed a second design and provided handouts to the Board members. He noted that the plan provides for 21 acres at the southern section of the site where he would construct and improve three active play areas using a total of 2.35 acres, to include a 10,000 square foot tot-lot, 12-space parking lot, a 20 x 40 picnic pavilion, and nature trails throughout the site with additional recreation trails on the recreation lot. He noted that he received comments from the Parks and Recreation Board for that proposal, dated November 9, 2007. The comments noted that there are certain requirements for developments over 203 units, noting that they stated that 27 acres of parkland should be dedicated to the Township. He noted that the Parks and Recreation Board determined that the area zoned RC requires that 20% of the entire RC area be dedicated for parkland. He noted that his reading of the ordinance was different, noting a distinction between detached and attached units, and he suggested that 6.32 acres should be required. He noted that whether it is 27 acres or 6.32 acres, 70% of the land that meets the criteria for the ordinance would have a slope of 7% or less. He noted that



approximately three or four acres might be exactly in compliance with all the ordinance standard for the land. He noted that he does not have a piece of land that meets all the requirements for recreation land as set forth in the SALDO. Mr. Stine questioned if that would be for anywhere on the site. Mr. McNaughton answered yes.

Mr. McNaughton noted that he needs to respond to the Parks and Recreation Board. He noted that the November 9, 2007 memo from the Parks and Recreation Board requested him to consider a bikeway along Patton Road that would require some widening and striping as identified on a recent Township Greenway Plan. He noted that he could accommodate this request. He noted that the second request was to construct a nature trail that would connect Patton Road to the power line easement that goes through the property, and he answered that he could accommodate the nature trail.

Mr. Hawk questioned if the Parks and Recreation Board accepted Mr. McNaughton's proposal. Mr. McNaughton answered that the Parks and Recreation Board's memo dated November 9, 2007 requested 27 acres of parkland, and a series of improvements.

Mr. Wolfe noted that the issue appears to be the interpretation of the Parks and Recreation Ordinance, and he noted that he asked Ms. Moran to contact Mr. Stine for an interpretation of the Ordinance.

Mr. Stine noted that on section 1125.04 of the SALDO talks about land requirements for proposed recreation areas. He noted that it sets forth two types of dedication, the first for single-family detached housing, listing the zone classifications in parentheses, for R-1, A-1, and P-1, and it goes on to state that subdivisions in any of these zones shall dedicate a minimum of 1,500 square feet per lot or dwelling unit. He noted that the second type of dedication concerns multi-family or attached housing, with the zone classifications for R-2 and R-C that stated that subdivisions in either of these zones shall dedicate a minimum of 20% of the total tract.

Mr. Stine explained that the Parks and Recreation Board's interpretation is that subdivisions in the R-2 and R-C zones must dedicate 20% of the total tract area. He noted that the McNaughton's interpretation is that it states that it is only for multi-family or attached housing. Mr. Stine explained that the reason that he did not think the McNaughton's interpretation was correct, is because someone who has a single-family subdivision in the R-C zone could state that the development doesn't fit into any of those categories, therefore there would be no need to dedicate any land. Mr. Stine noted that that would not be true. He explained that the sections are titled oddly, but the substance of the section basically states what the requirements are by zoning. He noted that there is a definition of recreational area required in

letter “T” for this section, and it noted that it spells out clearly what is required for each residential zone. He suggested that this would support the conclusion of the Parks and Recreation Board opinion.

Mr. Francis McNaughton noted that the R-C district had the density for the R-1 zoning. Mr. Stine explained that he understood what Mr. McNaughton was trying to say, but he had to abide by what was written in the ordinance. He noted that the ordinance covers the requirements for the type of zone and not the type of housing, and it does not address density. He noted that it only addresses what the zone is. Mr. Mellott noted that when the ordinance was written there was no density limitation in the R-C District, but now the R-C Ordinance has been revised to restrict the amount of units to the R-1 category, therefore the Recreation Ordinance should have been updated simultaneously. He explained that someone could propose five units on the 133 acres and have to provide 27 acres for recreational uses. He noted that there should be some type of revision that acknowledges the difference between multi-family and single-family uses.

Mr. Crissman noted that the Board of Supervisors must abide by the solicitor’s decision since he would be representing the Township in the event of litigation.

Mr. Francis McNaughton questioned what he would be required to provide if he only built 199 units. Mr. Stine answered that it would make no difference, since it only mentions subdivisions in specific zones. Mr. McNaughton noted that the alternative would be to dedicate a certain portion of land and supplement it with fee-in-lieu. Mr. Stine suggested that a developer has the option to do a mix of fee-in-lieu, improvements, and dedication. Mr. Seeds noted that Mr. McNaughton would have to make an agreement with the Parks and Recreation Board for this matter. Mr. McNaughton noted that he would present the additional proposals for the bikeway and easement to the Planning Commission at their meeting scheduled for December 12, 2007.

Mr. Crissman questioned if the total acreage for recreational use shown on the drawing was 2.35 acres. Mr. McNaughton answered that the three active areas outlined in red represent 2.35 acres. Mr. Crissman noted that this plan does not meet the 6.23 acres that Mr. McNaughton was proposing. He questioned how a person who uses the parking area would access the active recreation areas as they would need to walk through the wetlands to get to those areas. Mr. Stine noted that the walking areas have a 25% slope area and a person would need to walk around the wetland areas. Mr. Joel McNaughton noted that with the change in the realignment of Patton Road, access could be provided to the recreation area by way of the sidewalks along Patton Road. Mr. Crissman noted that the proposed land for recreational uses does not seem to be very practical or useful.

Mr. Fran McNaughton suggested that the most recent proposal has merit in that the McNaughton Company would provide some accommodations for active recreation. Mr. Seeds questioned if Mr. Snyder had reviewed the plan. Mr. Wolfe answered that there is no engineering to review at this time.

Mr. Fran McNaughton noted that this is a very difficult site, and Mr. Joel McNaughton planned to provide some active recreation for ball fields, soccer fields, bicycle and walking trails. He noted that this would fall within the definition of active recreation and he could supplement this with fee-in-lieu as an acceptable compromise. Mr. Crissman suggested that that should be Mr. Joel McNaughton's marketing technique to deliver to both the Planning Commission and the Parks and Recreation Board.

Mr. Hornung noted that he has a concern with the distance between the active play areas and the parking lot. He noted that even if a walkway was provided, it would be a good distance to walk to. Mr. McNaughton noted that this plan was developed prior to shifting Patton Road for the realignment, and he suggested that this would provide for a second area for parking.

Mr. Hornung questioned what the large flat area would be used for above the proposed recreation area. Mr. McNaughton answered that it is located on the top of a hill, and he suggested that it may be available for some additional densities in a new yield plan submission.

Continued discussion with representatives of CASA regarding their proposed use of the Wolfersberger Tract for development as a soccer facility

Mr. Wolfe distributed a memo from the Capital Area Soccer Association (CASA) regarding the third draft letter presented to them. He noted that CASA members are not ready to meet with the Board at this time, but explained that their letter states that they are not sure if they want to purchase the Wolfersberger Tract since they are interested in building a turf field at the Thomas B. George Jr. Park. He noted that before they make a commitment to buy the tract, they must make sure that they could raise the funds necessary to purchase the land. He explained that CASA has scheduled a meeting with a soccer fundraiser specialist to determine what they could raise, and that they want to wait until they have met with this person before they discuss the matter further. He suggested that when CASA told the Board members that they had the ability to raise the funds, that this may not have been true. Mr. Hawk noted that he is not surprised. Mr. Wolfe noted that the asking amount is a large amount of money.

Mr. Seeds questioned how much the appraisal fee was. Mr. Wolfe suggested that it was in the range of \$2,000, and CASA's half would be \$1,000. He noted that CASA would not have to

pay it unless they sign the agreement. Mr. Blain noted that their letter states that Mr. Weidner would ask the CASA Board to pay their share of the appraisal regardless of the outcome. Mr. Blain explained that the consultant would help CASA to determine who to target in the community for fundraising, and how much could be raised.

Status of Township efforts to address a DEP compliance review on the  
Township's EEOC compliance

Mr. Wolfe noted that the Township was dealing with an EEOC compliance review due to the large amount of 902 recycling grant funds it receives, in excess of \$100,000.00 He noted that the Department of Environmental Protection (DEP) requested a compliance review from the Township, and as a result of that response provided to DEP on August 1, 2007, a second letter was send to the Township requesting more changes. Mr. Wolfe noted that a second corrective action plan making corrections to the deficiencies was sent to DEP, and has been accepted. Mr. Wolfe noted that he included a copy of that acceptance letter in the Board members' packets. He noted that the Township is actively taking steps to come into compliance with the DEP request.

Mr. Crissman questioned if this was something that should be passed on to the pubic by means of an article in the Township Newsletter. Mr. Wolfe noted that he could do this. Mr. Crissman noted that he did not know the value of doing this and it was only a suggestion. Mr. Wolfe noted that it would be a good idea.

"Otta Know" Presentation: United Water Video Presentation 2007

Mr. Wolfe explained that United Water Pennsylvania has provided, to the Township, a 15- minute video presentation on United Water PA's role in the community. Mr. Blain noted that due to the late hour he requested to table this agenda item until the next meeting. Mr. Hawk agreed, and Mr. Wolfe stated that he would schedule this agenda item for a later meeting.

Improvement Guarantees

Mr. Hawk noted that there were five improvement guarantees for consideration.

Amber Fields, Phase III

An extension and increase in a letter of credit with Sovereign Bank in the amount of \$14,662.89 with an expiration date of January 11, 2009.

New One-Story Office Building

An extension and increase in a letter of credit with Lebanon Valley Farmers Bank in the amount of \$17,509.91 with an expiration date of December 11, 2008.

Willow Brook, Phase III

An extension in a letter of credit with Fulton Bank in the amount of \$6,112.15 with an expiration date of December 28, 2008.

Dunkin Donuts/Baskin Robbins

A release of a letter of credit with Commerce Bank in the amount of \$9,780.00.

Estates of Forest Hills, Phases I, II, III, IV-A, IV-B, V

A reduction in a letter of credit with Community Banks, N.A. in the amount of \$3,163.60 with an expiration date of April 21, 2008.

Mr. Crissman made a motion to approve the five listed improvement guarantees as presented. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and the improvement guarantees were unanimously approved.

**Adjournment**

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 9:15 p.m.

Respectfully submitted,

Maureen Heberle

Approved by,

Gary A. Crissman  
Township Secretary